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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

DIAMOND CONDO LLC,

Chapter 11
Case No. 16-10619 (MKV)

Debtor.

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DECLARATION OF MR. DAVID EBRAHIMZADEH
PURSUANT TO 28 U.S.C. § 1746 IN SUPPORT OF APPLICATION FOR AN
ORDER AUTHORIZING THE RETENTION OF
THE LAW OFFICES OF GABRIEL DEL VIRGINIA, AS ATTORNEYS FOR
THE DEBTOR AND DEBTOR-IN-POSSESSION.

I, Mr. David Ebrahimzadeh, declare pursuant to 28 U.S.C. § 1746, the following:

1. I submit this declaration at the request of the Office of the United States Trustee, and in support of the application for the retention of Law Offices of Gabriel Del Virginia, as attorneys for Diamond Condo, LLC (“Debtor”).
2. I am the close friend and business associate of the sole member and manager of Debtor. Also, I reside with my family in the residential real property owned by the Debtor.
3. As pertains to the instant case, I recognize and acknowledge that I will not assert any claims against the Debtor’s estate whatsoever, including, without

limitation, payment of common charges, fees, taxes or any such undertaking on my part.

4. I also recognize and acknowledge that the Law Offices of Gabriel Del Virginia (“GDV”), is representing me as interested party to that certain *Stipulation and Order Granting Knighthead Ssre Reit, Inc. Relief From The Automatic Stay*.

5. I also recognize and acknowledge that notwithstanding such representation of me in this matter, GDV’s fiduciary duty is to Debtor and its estate and, accordingly, should a conflict arise between our interests, GDV would withdraw from representing me. GDV has advised me *that the* Debtor may have causes of action against me, which causes of action may include (without limitation) nonpayment of rent/occupancy. GDV has further advised me that his fiduciary duty is to investigate and assess such potential actions and that he will withdraw from representing me if such investigation and assessment lead to a conclusion of viable actions.

6. I am now informed by GDV that the original declaration of Gabriel Del Virginia (ECF No. 20) contained an assertion that I paid a \$7,500.00 retainer to GDV. Such assertion was and is erroneous. I have not paid any retainer or fees to GDV and will not make any such payments.

7. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

[SIGNATURE AND DATE ON FOLLOWING PAGE]

Dated: June 21, 2016
New York, New York

/s/ David Ebrahimzadeh
MR. DAVID EBRAHIMZADEH